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REGISTRATION
"02 JUN 21 2002
OFFICE OF THE
EXECUTIVE SECRETARY

June 21, 2002

Mr. K. David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

Re: Petition of Tennessee UNE-P Coalition to Open Contested Case
Proceeding to Declare Switching an Unrestricted Unbundled
Network element
Tennessee Regulatory Authority Docket #: 02-00207

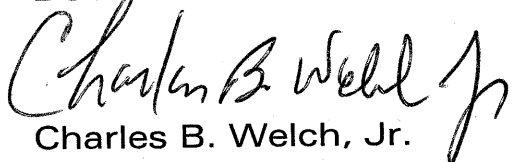
Dear Mr. Waddell:

I have enclosed herewith thirteen copies of a letter to counsel for BellSouth Telecommunications, Inc. for informational purposes only. Business Telecom, Inc. is not making an appearance in the referenced proceeding and does not wish to participate in this contested case in any way.

If you have any questions or concerns, please do not hesitate to contact the undersigned.

Sincerely,

FARRIS, MATHEWS, BRANAN,
BOBANGO & HELLEN, P.L.C.


Charles B. Welch, Jr.

CBW:rj
Enclosures

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Counsel:

This letter acknowledges receipt of your Motion to Compel Business Telecom, Inc. (BTI), to answer discovery requests propounded to this non-party on May 24, 2002. In response, please be advised that BTI has no intention of responding to the discovery, unless ordered to do so. BTI is not a party to this proceeding or the protective order, and although the Hearing Officer made some mention of the possibility of obtaining information from third parties through discovery, the discovery rules have not been suspended at this point for that purpose.

Footnote 26 of the Hearing Officer's Order dated May 13, 2002 is certainly not tantamount to an order requiring third parties to participate in this proceeding. It merely suggests that permitting discovery may be expedient. The next footnote, number 27, suggests that interested entities or persons may participate, if they so desire, but, to do so,

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Guy M. Hicks, Esq.
Joelle J. Phillips, Esq.
June 21, 2002
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should file a notice of appearance with the Authority. Although BTI will be filing a copy of this letter of response to you with the Authority, it should in no way be construed as an appearance or a notice of appearance in this proceeding. Since BTI has not filed a notice of appearance, it is not an "announced and identified interested person(s)" as defined by the order, and, therefore, it is not a party of upon which discovery requests may be served as permitted by the Hearing Officer's Order.

Very truly yours,

FARRIS, MATHEWS, BRANAN,
BOBANGO & HELLEN, P.L.C.

Charles B. Welch, Jr. / RJ
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CBW:rj